

REMARKS

Claim Status

Claims 22, 28, 38, 39, 43 and 44 are pending in the present application. No additional claim fee is believed to be due. Claims 1-21, 23-27, 29-37 and 40-42 have been previously cancelled.

Claims 22 and 38 have been amended to add the limitation, “wherein said non-contiguous slots are capable of setting different exposures, angles, or spans of said blades relative to each other.” Support for these claim amendments is shown in Fig. 12, for instance, and at page 5, lines 24-30 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order.

Rejection Under 35 USC §103(a) Over Jacobson and Francis

Claims 22, 28, 38, and 43 are rejected under 35 USC §103(a) as being unpatentable over Jacobson (US Patent No. 4,378,634) in view of Francis (US Patent No. 4,868,983). Applicant traverses this rejection.

Neither Jacobson nor Francis, whether taken together or separately, disclose or suggest ... the steps, in the order of ... providing a housing ... providing a plurality of elongated metal razor blades...providing a first plastic block having non-contiguous slots ... providing a second plastic block having non-contiguous slots ... securing said first longitudinal ends in said slots in said first plastic block and said second longitudinal ends in said slots in said second plastic block ... and said blades and blocks provide an integrated blade subassembly, *wherein said non-contiguous slots are capable of setting different heights, angles, or spans of said blades relative to each other* ... and inserting said integrated subassembly into the rectangular recess wherein said guard member is in front of said blades ... as recited in Applicant’s newly amended base Claim 22 and similarly in base Claim 38 (emphasis added).

Jacobson is cited by the Examiner to show non-contiguous slots and plastic blocks. However, with regard to the Office's assertion that the Jacobson housing is depicted in the bottom elements of Fig. 6, Applicant respectfully disagrees. Jacobson's slots 16 are disposed in end portions 4 and 6 which are interconnected by front and back wall portions 8 and 10 and a frame portion 12. The back wall portion 8 has a cap portion 14 and a guard portion 24. (Jacobson, col. 2, lines 22-64). Nowhere does Jacobson describe or suggest that the slots 16 are part of an integrated blade subassembly of blades and blocks as recited in Applicant's Claim 1. Rather, Jacobson's slots are clearly integrated with the housing in line with Applicant's Claim 1 where the housing is ... generally rectangular recess having four side walls and carrying a guard member. This arrangement teaches away from Applicant's invention where the slots are in blocks and blades are secured in the slots, the blades and blocks providing an integrated subassembly (as recited in Applicant's Claim 1) prior to insertion into said housing.

The fact that the Office states that the prior art may be combined or modified does not make the modification obvious unless the prior art suggests the desirability of the modification. Applicant argues that neither Jacobson nor Francis teach or suggest how to combine or modify features of the references sufficient enough to have made the claimed invention obvious to one of ordinary skill in the art. Applicant contends that it would not have been obvious to one of skill in the art to provide Jacobson with an separate integrated subassembly of blades and first and second blocks with slots since the slots in Jacobson are already integrated in the housing. Furthermore, as previously made of record, there is no motivation in Francis to provide non-contiguous slots or to have plastic blocks.

Even assuming arguendo these references were combined, the combination of Jacobson with Francis would still does not describe or suggest "non-contiguous slots capable of setting different exposures, angles, or spans of said blades relative to each other... as recited in Applicant's newly amended Claims 22 and 38. Clearly, neither reference discloses or motivates the capability for setting different exposures, angles or spans of the blades relative to each other via the slots.

Accordingly, Applicant argues that neither Jacobson alone nor the combination of Jacobson and Francis establish a *prima facie* case of obviousness under 35 USC §103(a) because they do not teach or suggest all of the claim limitations of independent claims 22 or 38.

Thus, claims 22 and 38 are patentable over the combination of Jacobson and Francis. For at least these reasons, dependent Claims 28 and 43 are also patentable over the cited references under 35 USC §103(a) and Applicant contends the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Jacobson and Santhagens Van Eibergens

Claims 22, 28, 38, 39, 43 and 44 are rejected under 35 USC §103(a) as being unpatentable over Jacobson (US Patent No. 4,378,634) as modified above, and further in view of Santhagens Van Eibergen (US Patent No. 6,671,961). Applicant traverses this rejection.

Jacobson is cited by the Office for providing non-contiguous slots and plastic blocks. As described above, Jacobson however does not describe blades and blocks providing an integrated subassembly. Applicant further contends that Santhagens Van Eibergen also does not provide an integrated subassembly of blades and a first block and a second block, since Santhagens Van Eibergen clearly affixes blades to one block or sub-frame 9 whereas Applicant affixes blades to two separate end blocks.

Thus, neither reference describes or suggests ... a first block ... a second block... said blades and blocks provide an integrated blade subassembly...as recited in Applicant's base Claims 22 and 38.

Furthermore, the combination of Jacobson and Santhagens Van Eibergens still does not provide the missing elements mentioned above since clearly neither reference describes or suggests the capability of "non-contiguous slots ... setting different

exposures, angles, or spans of said blades relative to each other... as recited in Applicant's newly amended Claims 22 and 38.

Thus, Applicant contends that neither Jacobson alone nor the combination of Jacobson and Santhagens Van Eibergens establish a *prima facie* case of obviousness under 35 USC §103(a) because they do not teach or suggest all of the claim limitations of base claim 22 from which claims 28, 39 and 43 depend or base claim 38 from which claim 44 depends.

Accordingly, Applicant's claims 22, 28, 38, 39, 43 and 44 are patentable over Jacobson '634 in view of Santhagens Van Eibergens '983 under 35 USC §103(a) and this rejection should also be withdrawn.

CONCLUSION

This response represents an earnest effort to place the application in allowable, proper form and to distinguish the invention as now claimed from the applied references.

In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of the pending claims is respectfully requested.

Respectfully submitted,

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